

21-2495

FILED
in the Clerks Office
U.S. District Court,
EDNY Feb. 4, 2022,
6:17 AM Brooklyn
Pro Se Office via
Box.com

United States Court Of Appeals
For the Second Circuit

Sister E Jones-Bey

Plaintiff- Appellant

V.

Pamela K. Chen
Et. Al

Defendant - Appellee

On Appeal from the United States District Court
for the Southern District of New York

Brief of Appellant Sister E Jones-Bey
Sister E Jones-Bey, Pro Se
P.O.Box 180
Bronx New York 10472
2037728778

Table of Contents

Table of Authorities	Page 3
Statement of Subject Matter and Appellate Jurisdiction	Page 5
Statement of Issues Presented For Review	Page 7
Statement of Case	Page 8
Statement of Facts	page 10
Statement of Argument	Page 17
Argument	Page 18
Conclusion	Page 24

Table of Authorities

I. Constitutional Provisions

U.S. Stat 1 Article 3

“ The said States hereby severally enter into a firm League of friendship with each other, for their common defence, the security of their liberties, and general welfare, binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty,trade, or any other pretense whatever.”

United States Constitution 1st, 4th, 5th, 6th and 7th Amendments

II. Case Law

Barbano v. Washington Mutual/Chase

Beausoliel v. United States 1939

Beneficial National Bank et al v. Anderson et al 539 U.S. 1 (2003)

Boyd v. United States 116 U.S.616

Brady v. Ottaway Newspapers, 84 AD 2D 226-Ny, Appellate Div. 2nd Dept 1981

Burke v. CNTY of Alameda, 586 F.3d 725, 734 (9th Cir. 2009)

CB v. Sonara School District , Dist. Court, ED California 2011

Cherry v. Des Moines Leader 114 Iowa, 298, 86 N.W. 323, 54, L.R.A 855, 89 Am. St. Rep 365

Clark v. Binney, 2 Pick (Mass.) 115

Collins v. Dispatch Pub Co. 152 Pa 187 25 Atl 546, 34 Am. Rep. 636

Com. v Clap, 4 Mass. 168, 3 Am. Dec.212

Fredrickson v. Johnson, 60 Minn. 337, 62 N.W. 388

Great ATL & Pac. Tea Co v. Paul 261 A. 2d 731- Md; Court of Appeals 1970

Harford V State, 96 Ind 463, 49 Am Rep. 185

Hays v People, 1 Hill (N.Y.) 351

Hearne v. De Younge 132 Cal. 357, 64 Pac 576

Kmart Corp v. Washington, 866 P.2d 274 (Nev. 1993)

Kougasian v. TMSL,Inc. 359 F.3d 1136 (2004)

MacDonald v. Brown 23 R.I 546, 51 AH. 213, 58 L.R.A 768, 91 AM. ST. Rep. 659

Menotti V. Seattle, 409 F. 3d 1113,1147(9th Cir. 2005

Minter v. Bradstreet Co. 174 Mo. 444,73 S.W. 668

Montell v. Dept of Soc. Servs. 463 U.S. 658,694.98 S. Ct. 2018 (1978)

Negly v. Farrow 60 MD 175, 45 Am. Rep 715

Palmer v. Concord, 48 N.H. 211, 97 Am. Dec 605

Pollard v. Lyon, 91 U.S. 277, 23 L. Ed. 308

Republican Pub. Co. v. Mosman, 15 Colo. 399, 24 Pac. 1051

Ross v. Ward, 14 S.D. 240, 85 N.W. 182 86 Am. St. Rep. 414
Root V. King 7 Cow. (N.Y) 620
Ryckman v. Delevan, 25 Wend. (N.Y.) 198;
Scott E Tellep v Oxford Health Plans et. al
Troxel et viv v. Granville 530 U.S. 57 (2000); In re visitation of A.P, 743 S.E. 2d 346(2103)
W.Va. 38
Ulrich v. S.F., 308 F.3d 968, 984-85(9th Cir 2002)
US v. Morris 20 f.3d 1111 (1994)
Weston v. Weston, 83 app. Div 520 NY Supp 351

III. Applicable United States Code

42 U.S. code §§1981 Equal Rights Under law
§1980 Conspiracy.
§ 1985 Conspiracy to interfere With Civil Rights,
§1986 Action for Neglect to Prevent
28 U.S. Code §1292 (a) (1),
28 U.S. Code§1292 (b), and
28 U.S. Code §1292 (c) (1)
28 U.S. Code §1295 (a) (2)
28 U.S. Code§1346(b) (1)

IV. State Constitutional Provisions

The New York State Constitution
Article I § 3

“ The free exercise and enjoyment of religious profession and worship, without discrimination or prefrence, shall forever be allowed in this state to all mankind; and no person shall be rendered incompetent to be a witness on account of his opinions on matters of religious belief.”

§4 Habeas Corpus

“The privilege of a writ or order of Habeas Corpus shall not be suspended.”

§11 Equal Protection of Laws; Discrimination in Civil Rights Prohibited

“No person shall be denied the equal protection of this State or any Subdivision thereof. No person shall because of Race, Color, Creed, or Religion be subjected to any discrimination in his civil rights by any other person, or any firm,corporation or institution, or by the State or any agency or subdivision of the State.

§ 32. Custodians of Children to be of same religious persuasion.

“ When any court having jurisdiction over a child shall commit it or remand it to an institution or agency or place it in the custody of any person by parole, placing out, adoption or guardianship, the child shall be committed or remanded or placed, when practicable, in an institution or agency governed by persons, or in the custody of a person, of the same religious persuasion as the child.”

V. NY State Law Codes and Rules

Consolidated Laws of New York State Chapter 6, Article 7, Section 70-Vexatious Suits

Chapter 6, Article 2, Section 8 Right of Search and Seizure

Chapter 6, Article 7 Section 79-n- Bias related violence or Intimidation; Civil Remedy

Chapter 8, Article 5 Section 506- Where Special Proceeding Commenced

Chapter 8, Article 30, Section 3016-Particularity in specific actions

NY Penal Law. 120.05(2)

NY Penal Law. 120.00

NY Penal Law 240.26(1)

VI. Other Referenced Statutory Provisions

Restatement (second) of torts § 682 (1977)

Pen Code Cal § 248

Rev Code Iowa 1880 § 4097

Code Ga. 1882 § 2974

Statement of Subject Matter And Appellate Jurisdiction

Islam,

The Subject Matter relevant to the original proceeding in the United States District Court Eastern District of Virginia and Subsequently transferred to the United States District Court Southern District of New York is directly relating to the violations of my inherent inalienable rights as a human being to life, liberty and the pursuit of happiness, recognized and implemented as the Supreme Law of the land by way of the Constitution of the United States of America, documented in case law after case law, and codified for reference purposes in the United States Code for education and guidance, and in turn implemented into State Constitutions. The Constitution of the United States of America, Bill of Rights First Amendment says

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or of the right of the people to peaceably assemble, and to petition the government for a redress of grievances.”

This Case is a Personal Injury Tort Claim, 320 Assault, Slander and Libel pursuant to 42 U.S.Code 1981. With this in mind defendants are liable to answer, face penalties and fines for their actions or inactions in this matter. 42 US. Code 1986 is clear that if you have the ability to prevent a violation and fail to do so then the individual or individuals, no matter if they are acting in an official/public or private capacity, who fails to prevent said violation is also to be a defendant. I have facts and evidence of extrinsic and intrinsic Fraud against myself, the Asiatic Nation (those referred to by the slave terms of Negro, Black, Colored, Ethiopian Etc) in particular the Moorish American.

“It is the duty of the courts to be watchful for the constitutional rights of the citizen. And against any stealthy encroachments thereon.”Boyd v. United States 116 U.S.616

It is unclear whether Honorable Swain reviewed my submission to the District court for the Eastern District of Virginia, but I was clear and concise as to why I brought the suit in my amended complaint submission in Virginia. It seemed She Based her consensus on the statements of her colleague and under the assumption this claim was pursuant to 42 U.S. Code 1983. And even if it was, the all of the defendants listed would still have to answer

“ Municipality may be held liable under section 1983 “ when execution of a government's policy or custom, whether made by its lawmakers or by those whose edicts or acts may fairly be said to represent official policy, inflicts injury.- Montell v. Dept of Soc. Servs. 463 U.S. 658,694.98 S. Ct. 2018 (1978) To prevail under a section 1983 claim against a local government, plaintiff must show: (1) he or she was deprived of a constitutional right, (2) the local government had a policy (3) the policy amounted to deliberate indifference to his or her constitutional right, and (4) the policy was the moving force behind the constitutional violation.-Burke v. CNTY of Alameda, 586 F.3d 725, 734 (9th Cir. 2009) There are three ways to show a municipality's policy or custom: By showing “ a long standing practice or custom which constitutes the standard operating procedure of the local government entity. (2) “ by showing the decision making official was, as a matter of state law, a final policy making authority whos edicts or acts may be fairly said to represent official policy in the area of decision” or (3) “ by showing that an official with the final policy making authority either delegated that authority either delegated that authority to, or ratified the decision of, a subordinate.”- Menotti V. Seattle, 409 F. 3d 1113,1147(9th Cir. 2005 (quoting Ulrich v. S.F., 308 F.3d 968, 984-85(9th Cir 2002)”~ CB v. Sonara School District , Dist. Court, ED California 2011

The statutory law that supports the Appellate Jurisdiction is as follows

28 U.S. Code 1292 (a) (1), 28 U.S. Code1292 (b), and 28 U.S. Code 1292 (c) (1)

28 U.S. Code 1295 (a) (2) and

28 U.S. Code§1346(b) (1)

Statement of Issues Presented for Review

Islam

The issues to be presented for review is the allowing of systematic discrimination against members of the Asiatic Nation in particular the Moorish Americans. This discrimination has lead to denial of the following request by Plaintiff in this matter:

- I. Denial of a order of Habeas Corpus for my eldest heir on State and Federal Level
- II. Denial of a Cease and Desist and Protection from Abuse Order on State and Federal Level against all defendants
- III. Constant incompetence and biases by Officers of the court, at the local, State, and Federal level; Elected officials at local, State, and Federal level; and Entites, agencies, agents ,employees at local, State, and Federal level has lead to my tribe experiencing abuses at the hands if individuals public and private but receiving no remedy at law largely due to discrimination based on my Moorish American Descent, religious practice, and adhereance to my culutre and customs in particular the Use of my Free National Name affixed to my family name (ie Sister E Jones-Bey) and my pratice of Islamism

Statement of the Case

Praise Allah the Holy One

Islam

I Sister E Jones-Bey filed this proceeding originally with the United States District Court Eastern District of Virginia and assigned case number 3:21-cv-0256, and Identified as pertaining to Equal Protections at law after I was Denied a Habeas Corpus From Ronna Gordan-Glachus, of Bronx County Family Court, Paul M Hensley of Suffolk County Family Court, and Pamela K Chen Of the United States District Court Eastern District of New York. The cases can be reviewed under file #174258 of Suffolk County Family Court, File Number 186520 in Bronx County Family Court, and 20-cv-3865 in the United States District court Eastern District of New York. During this time several defendants Maliciously abused administrative and Legal process through use of administrative agencies and police officers leading to further constitutional violations. in turn allowing for Vickell Powell to Harass my tribe, assault my youngest son leading to a myriad of medical bills, steal my identity to open accounts, and to interfere with my mail and packages causing an over disruption in the quality of peaceful enjoyment of our current domicile. This also gave rise to me missing important mail. The Suit in United States District Court Southern District of New York, Assigned case number 20-cv-9171 was my last resolve for assistance before being forced out of my home (see L&T index no. 301075-21/bx l&t 306206-21/bx).

Since then I have been Alienated from my eldest heir by way of legal abuse at the intent and actions of Willaim Pierce and Vicknell Powell Sprayed my child in the face causing visual impairment. These cases were all filed in a timely fashion, and due to clerical error treated as other than tort claims. A personal injury issue involving discrimination from federal court officials is a matter of public safety and concern. Therefore When I received notice of the Order of Dismissal By Honorable Laura Taylor Swain dated September 17th 2021, which stated:

CONCLUSION

“ The court dismisses the amended complaint for failure to state a claim on which relief can be granted and for seeking relief against defendants immune from such relief, and as frivolous. See 28 U.S.C. 1915 (e) (2) (B) (ii),(iii) The court denies plaintiff's request for a writ of habeas corpus . (ECF 10) The court grants plaintiff thirty days leave to replead her state law claims in an amended complaint that alleges facts demonstrating the court has diversity jurisdiction to consider her claims. The clerk of court is instructed to hold this matter open on the docket until a civil judgment is entered. The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket,

The Court Certifies under 28 U.S.C 1915 that any appeal from this order would not be taken in good faith, and therefore IFP status is Denied for the purpose of an Appeal. Cf Coppage v. United States, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue)

I began to prepare the documents for and Filed the Notice of Appeal on October 04th 2021 as this is not a frivolous issue and is exactly the reason I filed in the district court to begin with.

Statement of Facts

Islam

I, Sister E Jones-Bey affirm that the following Statement of facts is based on first hand experience and my own research. Individuals capable of ensuring equal protections at law are sitting on benches with biases when they took an Oath to be Impartial and uphold the Constitution For the United States of America By accepting an employment contract, official position or being a Judge.

.

I. Explanation of the intended definitions of the words used in all complaints on all lower courts and in Appellate Brief

Honorable Laura Taylor Swain Stated in the dismissal order that I did not state any claims that can be given remedy. However this is not true and it is clear that she didn't review the Documents filed in the United States District Court Eastern District of Virginia. In Section Marked II. Basis For Jurisdiction I clearly Marked U.S Government Defendant.

In the action marked IV Nature of Suit It is Marked as Tort, Personal Injury under box 320 Assault, Libel and Slander.

Blacks Law Dictionary 2nd Edition page 93 we find the following definition of Assault and Aggravated Assault

An assault is an Attempt, with force or violence, to do a corporal injury to another, and may consist of any act tending to such corporeal injur, accompanied with such circumstances as denote at the same time an intention, coupled with the present ability, of using actual violence against the person.- Hays v People, 1 Hill (N.Y.) 351

Aggravated Assault is one committed with the intention of committing some additional crime;or one attended with circumstances of peculiar outrage or atrocity.

It is a well recognized principle that the application of force or threat of application thereof, in an assault may be made indirectly as well as directly.”-Beausoliel v. United States 1939

On page 719-720 we find the following Definition

Libel (in torts) That which is written or printed and published, calculated to injure the character of another by bringing him to ridicule, hatred, or contempt.- Palmer v. Concord, 48 N.H. 211, 97 Am. Dec 605; Negly v. Farrow 60 MD 175, 45 Am. Rep 715; Weston v. Weston, 83 app. Div 520 NY Supp 351; Collins v. Dispatch Pub Co. 152 Pa 187 25 Atl 546, 34 Am. Rep. 636; Harford V State, 96 Ind 463, 49 Am Rep. 185

A Libel is a false and Malicious defamation of another , expressed in print or writing or pictures or signs tendon g to injure the reputation of an individual, and exposing him to public hatred, contempt, or ridicule. The publication of the libelous matter is essential to recovery.- Code Ga. 1882 § 2974

A libel is a malicious defamation, expressed by writing , printing, or by signs or pictures or the like, tending to blacken the memory of one who is dead, or to impeach the honesty, integrity, virtue,or reputation, or publish the natural or alleged defects of one who is alive, and thereby expose him to public hatred, contempt, or ridicule.- Pen Code Cal § 248; Rev Code Iowa 1880 § 4097; Bac Abr. tit “Libel”; 1 Hawk P.C. 1, 73 § 1; Com. v Clap, 4 Mass. 168, 3 Am. Dec.212; Clark v. Binney, 2 Pick (Mass.) 115; Ryckman v. Delevan, 25 Wend. (N.Y.) 198; Root V. King 7 Cow. (N.Y) 620

“Please note that publication to any third person satisfies this requirement for defamation. Thus, publication to the plaintiff’s friends, relatives, children and spouse will suffice. Further, the definition of publication is not limited to printed or oral statements. Any action by the defendant that causes a defamatory idea to be communicated to a third person about plaintiff is considered publication.- Kmart Corp v. Washington, 866 P.2d 274 (Nev. 1993).

“ It is the Malicious intent of the libeller toward the injured individual that authorized the latter to seek redress. The proof, or else the necessary presumption of individual malice, and inflicting individual injury are sole grounds of the civil action and the remedy it affords.”- Brady v. Ottaway Newspapers, 84 AD 2D 226-Ny, Appellate Div. 2nd Dept 1981

When We look on page 1092 we find

Slander (in torts) oral defamation; the speaking of false and malicious words concerning another, whereby injury results to his reputation.- Pollard v. Lyon, 91 U.S. 277, 23 L. Ed. 308; Fredrickson v. Johnson, 60 Minn. 337, 62 N.W. 388; Ross v. Ward, 14 S.D. 240, 85 N.W. 182 86 Am. St. Rep. 414; Republican Pub. Co. v. Mosman, 15 Colo. 399, 24 Pac. 1051; Civ. Code Ga. 1895 § 3837

“Publication in the law of slander, means the transmission of Ideas and thoughts to the perception of a person, other than the party speaking and the party spoken of.”-Great ATL & Pac. Tea Co v. Paul 261 A. 2d 731- Md; Court of Appeals 1970

In Black Law 9th Edition page 784

Harassment- words, conduct, or action (usu. Repeated or persistent) that, being directed at a specific person, annoys, alarms, or causes substantial emotional distress in that person and serves no legitimate purpose.

Pages 731-732

Fraud 3. A tort arising from a knowing misrepresentation made to induce another to act to his or her detriment.

Extrinsic fraud (1851) 1. Deception that is collateral to the issues being considered in the case; intentional misrepresentation or deceptive behavior outside the transaction itself, (whether contract or lawsuit), depriving the party of informed consent or full participation. 2. Deception that prevents a person from knowing about or asserting a certain right.

Fraud on the court (1810) In a judicial proceeding, a lawyer's or a party's misconduct so serious it undermines or is intended to undermine the integrity of the proceeding.

In Black's Law 2nd Edition page 750 we find

Malice- In the law of Libel and Slander~ An evil intent or motive arising from spite or ill will; personal hatred or ill will; culpable recklessness or a willful and wanton disregard of the rights and interest of the person defamed- MacDonald v. Brown 23 R.I 546, 51 AH. 213, 58 L.R.A 768, 91 AM. ST. Rep. 659; Hearne v. De Younge 132 Cal. 357, 64 Pac 576; Cherry v. Des Moines Leader 114 Iowa, 298, 86 N.W. 323, 54, L.R.A 855, 89 Am. St. Rep 365; Minter v. Bradstreet Co. 174 Mo. 444, 73 S.W. 668

And to define the final term which is the central problem and raises the question of Constitutionality of the Policy and Practices Charted Divisions of the United States of America Ie The U.S. Department of Health and Human Services, New York State Human Resources Administration, Department of Social Services and subsidiary agencies, entities. Agents, employees and contractors and of many private individuals

Abuse of Process- the improper or tortuous use of a legitimately issued court process to obtain a result that is either unlawful or beyond the process scope.- Also termed abuse of legal process; malicious abuse of process; malicious abuse of legal process; wrongful process; wrongful process of law. Cf. MALICIOUS PROSECUTION

“One who uses a legal process, whether criminal or civil, against another primarily to accomplish a purpose for which it is not designed is subject to liability to the other for harm caused by the abuse of process.”- Restatement (second) of torts § 682 (1977)

All defendants both private individuals and public officials, employees, agents, contractors and elected officials in every matter mentioned failed to follow the laws and in turn violated my inalienable right resulting in years of defamation and constitutional violation that has affected every aspect of my life. It is evident that Honorable Laura Taylor Swain did not review my document submission as she explicitly stated in the decision that this is a *42.U.S.Code § 1983* and I should bring a diversity claim. But this is a tort claim pursuant to *42 U.S. code § 1986 Action for Neglect to Prevent* and this statutory cause of action makes reference to *U.S. Code Section § 1985 Conspiracy to interfere With Civil Rights, §1981 Equal Rights Under law and All aforementioned statutory laws make reference to U.S.Code §1980 Conspiracy*. All defendants are liable at law for their actions or inactions.

II.Events that gave Rise to Action

- (a) Since 2009- 3rd December 2021 The State of New York, by way of Chartered agencies ie. Human Resources Administration, Administration For Children's Services and other entities under the policies and practices of The State of New York and Said Agencies have committed countless constitutional violations by way of intimidation, force, violations of privacy, fraud, and abduction of all four of my heirs in 2018 & 2019 Ratified By Jacqueline D. Williams & Elizabeth Barnett Of the Kings County Family Court to have my heirs returned to me and all Child protective proceedings to be dismissed with prejudice. In 2020, parental kidnapping and abduction of my eldest Heir by Willam Pierce in March of 2020 and ratified by Pamela K. Chen, Ronna Gordon Glachaus Bronx County Family Court, Paul M. Hensley Of Suffolk County Family Court
- (b) Since December of 2016 I have made several complaints to Governmental agencies. Law enforcement agencies and Courts about the deed fraud I had uncovered dating all the way back to 1988. I also Complained about the malicious abuse of legal process, harassment, fraud, usurpations and overall neglect by way of policy and practice, being committed by the employees of Department of Finance, Department of Homeless Services, and Human Resources Administration, and the Contractors of the City of New York, in particular landlords are using Administration for Children's Services, and New York City Police Department to defame the character of the parents, use the slanderous and libelous statements to build a suit to evict the tribe and continue to stream income from the most vulnerable New Yorkers Single parents and young children.
- (c) Due to lack of Knowledge about Moorish American Culture, customs, beliefs, and faith, Many of the defendants in this matter consistently violate the 1st Amendment of the Constitution of the United States of America. Due to lack of study of the law and the definitions, many go without justice for atrocities committed both maliciously and my mistake. Life became

exponentially difficult once I proclaimed my nationality unassociated and only when I followed in the steps of the Holy Prophet Noble Drew Ali did I start to get a little assistance but still to date had yet to receive equal protections at law.

Summary of Argument

Islam

Lack of Knowledge of self, Blatant disregard for law and order, and the unwillingness to complete simple tasks associated with administration, (ie reading and research) has lead to systematic discrimination through unlawful policies and practices of agencies, entities, and departments, implemented by Elected and Hired officials, employees, agents, and contractors of the City and State Of New York and Of the United States. It goes unnoticed due to the lack of disciplinary or any action whatsoever against offenders by those put in place to protect the rights of the people. The Asiatic Nation, correctly identified as Moorish American (those referred to as Negro, Black, Colored Etc) are no stranger to these abuses, and in fact more recently has see a rise in abudtions of Moorish American Heirs Due to Biases in the Justice system toward Moorish American., I have been subjected to 33 years of neglect, slander, libel, assault, harassment, abuse and other atrocities. The worst of the offenses however occurred Between December 23rd 2016 and continues to the date of the filing of this brief.

Analects of Confucious [2;24] If you see what is right and fail to act on it, you lack courage.

.

Argument

Islam

The fundamental rights of life liberty and the pursuit of happiness is granted to all just by being born. For many years I myself was a slave to sin adhering to slave marks such as 'Black' and 'African American'. My faith has and always will Be Islam and I am a Moorish American Here are some of the Koran Questions For Moorish Americans

13. What is your Nationality ? Moorish American

14. Why are we Moorish Americans? Because we are descendants of Morrocans and born in America.

15. For what Purpose was the Moorish Science Temple of America Founded? For the uplifting of fallen humanity.

16. How did the Prophet begin to uplift the Moorish Americans? By teaching them to be themselves

17. What is our Religion? Islamism

38. What is an Angel? An angel is a thought of Allah manifested in human flesh.

39. What are angels used for? To carry messages to the four corners of the world, to all nations.

57. Who were Adam and Eve? They are the mothers and fathers of the human family. Asiatic and Moslems.

59. What is the Modern name given to their children? Asiatics

85. Name some of the Marks that were put upon the Moors of Northwest, ny the European Nations in 1774? Negro, Black, Colored, and Ethiopian.

86. Negro, a name given to a river in in West Africa by Moors, because it contains black wated.

87. What is meant by the word black? Black according to science means death.

88. What does the word colored mean? Colored means anything that has been painted, stained, varnished or dyed.

89. What does Ethiopia mean? Ethiopia means something divided.

90. Can a man be a Negro, Black, Colored or Ethiopian?No

91 Why? Because man is made in the image and after the likeness of God, Allah.

93. Will you define the word white? White means Purity, Purity means God, and God Means the Ruler of the land.

As with any faith it is up to those that practice to uphold its distinct culture and customs. We are teaching our people the things necessary to make them better citizens. In the Moorish

Literature, Moorish Literature page 19, Prophet Noble Drew Ali the Founder of the Moorish Science Temple Of America stated

“The object of our organization is to help in the great program or uplifting fallen humanity and teach those things necessary to make better citizens.

A National Organization with a rotarian complex as it relates to branch Temples became obvious with an increasing number of inquiries from men and women in different sections of the country concerning the purpose of the organization. There are branch Temples (15) in different states at this time.

Since the work of the Moorish Science Temple of America was largely religious, the organization has been legally changed to a religious corporation and an affidavit to this effect has been properly filed in Cook County Recorder's Office of Illinois.”

In the past those who are not truly aware of the true purpose of Prophet Noble Drew Ali's message have begun teaching principles and practices that are not at all in alignment with The Moorish Science Temple of America and the culture, customs, practices and beliefs of its members has been grossly distorted. This has lead to those bearing the free national names of Bey or El to face systematic discrimination as no agency or entity will work with them for many in the past has claimed to be “sovereign citizens” or not subject to the jurisdiction, leading to the issues that arised pertaining to me and my heirs in the years of 2018 to the present date.

As a Nation We adhere to the Divine Constitution and bylaws of the Moorish Science Temple of America, To negate any confusion on where my stance is on Government

Act 4. All members must preserve these Holy and Divine laws, and all members must obey the laws of the government, because by being a Moorish American you are part and partial of the government, and must live the life accordingly

Act 5. This organization of the Moorish Science Temple of America is not to cause any confusion or to overthrow the laws and constitution of the said government but to obey hereby.

Since I was three I was being trained to do Allah's work, and throughout the years I have strayed away from the path as we all have

Allah and all master men judge men by what they are and not what they seem to be; not by their reputation and their fame.~ the Holy Koran of The Moorish Science Temple of America, page 14,Chapter IX, Instruction 10

At no time before 2016 had I been separated from my heirs. I never been in handcuffs, assaulted by police or called antisemitic. I have made several complaints to all agencies tasked with preventing harassment and abuse. I went as far as trying to file police reports and followed up with the reports and court filings for them to be pushed aside, ignored and to get no help. There were several times people would say things like "I thought Moors Don't call the police, or I thought you were above the law." At no time did I ask for anything outside the scope of constitutional protections but every single time to date I have not received justice when I am the one being injured. The lack of knowledge of those in positions of authority and of private individuals are still to this day causing harm in all avenues of life.. Hopefully with the help of this court we can right the wrongs and restore justice here in the State of New York and in the United States of America as a whole for the betterment of humanity. It is My Duty As a servant of the most high God Allah, To Myself as A Moorish American Moslem, as a mother to my offspring and as a Human being to ensure that when see and experience injustice that i do the best within my power to ensure that what has happened to me NEVER happens to another human being again.

Act 6- With us all members must proclaim their nationality and we are teaching our people their nationality and their Divine Creed that they may know that they are a part and a partial of this said government, and know that they are not Negroes, Colored Folk, Black People or Ethiopians, because these are names given to slaves by slave holdres in 1779 and lasted until 1865 during the time of slavery, but this is a new era of time now, and all men now must procalim their free national name to be recognized by the government in which they live and the nations of the earth, this is why Allah the Great God of the Universe ordained Noble Drew Ali, the Prophet to redeem his people from their sinful ways. The Moorish Americans are the descendants of the ancient Moabites whom inhabited the North Western and South Western shores of Africa.

The peace of society dependeth on justice; the happiness of individuals, on the safe enjoyment of all their possession.~ The Holy Koran of the Moorish Science Temple of America, Page 40, Chapter XXXI, Instruction 1

Due to my adherence to law and practice of my faith Willain Pierce was allowed to break the law and I was ridiculed, defamed, and my entire tribe alienated from my eldest heir. All of my grievances and Court motions denied on hearsay from a woman harassing me and interfering with and stealing my mail and literally interfered with the possession of my apartment, during a worldwide pandemic for 5 months by way of illegal lockout.

Closing Case Law and Applicable New York State Constitution Articles and Sections

“The Troxel Court further explained that so long as a parent adequately cares for his or her children (is fit) there will normally be no reason for the state to inject itself into the private realm of the family to further question the ability of that parent to make the best decisions concerning the rearing of that parent’s children.”-Troxel et viv v. Granville 530 U.S. 57 (2000); In re visitation of A.P, 743 S.E. 2d 346(2103) W.Va. 38

The Standard for the statutory [1] requirement is the “voluntary, intentional violation of a known legal duty.” US v. Morris 20 f.3d 1111 (1994)

A plaintiff alleging extrinsic fraud on a state court is not alleging a legal error by a state court; rather, he or she is alleging a wrongful act by the adverse party.” Barbano v. Washington Mutual/Chae quoting Kougasian v. TMSL, Inc. 359 F.3d 1136 (2004)

“When a federal statute preempts the state-law cause of action, a claim which comes within the scope of that cause of action, even if pleaded in terms of state law, is in reality based on federal law.” Scott E Tellep v Oxford Health Plans et. al (20) (quoting Beneficial National Bank et al v. Anderson et al 539 U.S. 1 (2003)

The New York State Constitution Article I § 3

“ The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this state to all

mankind; and no person shall be rendered incompetent to be a witness on account of his opinions on matters of religious belief.”

§4 Habeas Corpus

“The privilege of a writ or order of Habeas Corpus shall not be suspended.”

§11 Equal Protection of Laws; Discrimination in Civil Rights Prohibited

“No person shall be denied the equal protection of this State or any Subdivision thereof. No person shall because of Race, Color, Creed, or Religion be subjected to any discrimination in his civil rights by any other person, or any firm, corporation or institution, or by the State or any agency or subdivision of the State.

And Finally § 32. Custodians of Children to be of same religious persuasion.

“ When any court having jurisdiction over a child shall commit it or remand it to an institution or agency or place it in the custody of any person by parole, placing out, adoption or guardianship, the child shall be committed or remanded or placed, when practicable, in an institution or agency governed by persons, or in the custody of a person, of the same religious persuasion as the child.”

The evidence is in the case files and the transcripts of the court. Since becoming a mother the state has interfered with my parenting of my offspring. I have taken on the task of bringing these injustices to light in a clear, concise and intelligent tone.

In Wisdom Will and Love

Conclusion

All of my offspring have been with me since the day they were born. At no time have I abused my heirs. I do the best I can with the resources available. My entire life is centered around them. We have been through the most traumatic times of our lives and we would like to just have peace. We just want my eldest heir home and justice for the transgressions of the past. To the effect I would like to respectfully Request

- I. (a) Overturn Laura Taylor Swain's Order of Dismissal (b) order correction of the docket to match the Defendants names in complaint and the demand of \$930,000,000 (c) make note that I demanded a Jury trial (D) Discovery conference to held at the convenience of the Court
- II. Issue a Protection From Abuse Order preventing any further violations By State Agencies Entities etc.
- III. Overturn the State Court order Of Paul M. Hensley, Issue a Habeas Corpus, Cease and Desist and a Protection from Abuse order to William Pierce as it pertains to my eldest heir
- IV. Preliminary Injunctive relief of (a)the return of all of the properties of my Great Grandfather's estate and (b) 9,500,000 in Lawful currency in order to establish a quality of life that will ensure a permanent home, and eradicate undue hardship and reliance on the state.
- V. Whatever relief this court deems fair and just.

Certification

I Sister E Jones-Bey Certifies that this brief is 24 pages and contains 6,400 words.